

Appl. No.: 09/623,115
Response dated June 22, 2004
Reply to Office action of April 20, 2004

REMARKS/ARGUMENTS

Favorable consideration and allowance of the instant application is respectfully requested in view of the foregoing amendments to the claims, and the remarks which follow.

Claims 14-30 are pending in this application.

The Examiner's rejections, as they pertain to the patentability of the claims, are respectfully traversed.

Claims 14, 16, 18 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Crompton. This rejection is respectfully traversed for the following reasons.

Initially, Applicant would like to note that it is well settled that a factual determination of anticipation requires the disclosure, in a single reference, of each and every element of the claimed invention, and an Examiner must identify wherein each and every facet of the claimed invention is disclosed in the applied reference. See, *In re Levy*, 17 USPQ2d 1561 (Bd. Pat. App. & Inter. 1990). Applicant respectfully submits that the Crompton reference fails to anticipate the claimed invention on the grounds that it fails to disclose each and every element thereof. More particularly, the Crompton reference fails to disclose the use of a **furane-resin-free** phenolic resin binder.

The Examiner previously noted that Crompton disclosed the use of a phenolic resin/curing system at col. 3, lines 43-44. (See Paper No. 10, page 2). However, upon careful analysis of this disclosure, it is seen that nowhere within the four corners of the Crompton reference is it disclosed, or even suggested, to employ the claimed **furane-resin-free** phenolic resin binder. On the contrary, at col. 1, lines 56-58, Crompton clearly discloses that while phenolic resins in general may be used as the binder, it is preferred to use an adhesive such as sodium silicate instead. Consequently, rather than even

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suggesting that the claimed **furane-resin-free** phenolic resin binder be employed in its product, Crompton motivates the routineer to forego a phenolic resin altogether and employ sodium silicate instead. As a result, since this reference fails to disclose the use of the claimed **furane-resin-free** phenolic resin binder, it cannot serve to anticipate the claimed invention, per In re Levy, supra. Accordingly, for the above-stated reasons, reconsideration and withdrawal of this rejection is respectfully requested.

It is believed that the foregoing reply is completely responsive under 37 CFR 1.111 and that all grounds for rejection are completely avoided and/or overcome. A Notice of Allowance is therefore earnestly requested.

The Examiner is requested to telephone the undersigned attorney if any further questions remain which can be resolved by a telephone interview.

Respectfully submitted,



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